

DIAA Board of Directors' Meeting Minutes
November 10, 2005
John W. Collette Education Resource Center

I. Opening

A. Call to Order

The meeting was called to order at 9:05 a.m. by DIAA Chairperson Mark Holodick.

B. Roll Call

The following DIAA Board members were present: Mark Holodick, Gerald Allen, Kathleen Wilbur, Debbie Corrado, Sister Ann Michele, Ed Kee, Dr. Jeffery Hawtof, Joan Samonisky, John Oliver, Dr. Dianne Sole, Michael Wagner, Dr. Garrett Lyons, Dr. Lewis Atkinson, and Robert Reed. Kevin Charles, Executive Director, Paula Fontello, Deputy Attorney General were also in attendance. Dr. Robert Andrzejewski, Zane Robinson, and Phyllis Kohel were unable to attend.

C. Introduction of New Coordinator of Officials – Tommie Neubauer

Mr. Holodick introduced Tommie Neubauer who is the new Coordinator of Officials.

Mr. Holodick also recognized Board Member Joan Samonisky for recently being inducted into the University of Delaware's Sports Hall of Fame.

D. Approval of Agenda

Mr. Holodick stated that there was an addendum to the agenda. Mr. Holodick stated that Item III. A. was withdrawn from the agenda and was adding Items III. F. 1008.2.1.1 and 1009.2.1.1 Age Eligibility Language Revision as well as two additional tournament sanctions. Mr. Reed made a motion to approve the agenda as amended. The motion was seconded by Mr. Oliver and carried unanimously.

E. Approval of Minutes of the October 13, 2005 Board of Directors' Meeting

Ms. Wilbur made a motion to accept the October 13, 2005 minutes with revisions. The motion was seconded by Dr. Sole and carried unanimously.

F. Financial Report

Mr. Charles reviewed the financial report and commented on the income and expenses that has recently been received. Mr. Charles also explained the retirement pay that was taken out for the past executive director.

II. Public Comment

None.

III. Action Items

A. Request for Waiver of 14 DE Admin Code 1009.2.7.1 for N.H.

This was withdrawn.

C. Approval of Tournament Sanctions

Mr. Charles explained that there were 13 requests for sanction which include eleven wrestling tournaments, one baseball, and one basketball. Mr. Charles commented that he was adding two additional wrestling tournaments which is the Beast of the East and Battle to the Bay. Mr. Charles stated that the paperwork is in line and would request sanctioning. Dr. Hawtof made a motion to approve all request for sanction. The motion was seconded by Mr. Kee and carried unanimously.

D. Request for Travel Approval to the December NIAAA Meeting for Tommie Neubauer

Mr. Charles explained that this meeting is attended by all state associations. Mr. Charles stated that Mr. Neubauer will be receiving training while he is attending this meeting to qualify him to teach the leadership training courses offered by DIAA to athletic directors. Mr. Charles stated that we currently pay someone to do this and it will be a cost savings to have Mr. Neubauer able to do this. Dr. Hawtof made a motion to approve this request. The motion was seconded by Ms. Corrado and carried unanimously.

E. Request for Travel Approval to the January NFHS Winter Meeting for Kevin Charles

Mr. Charles commented that this is the winter meeting for Executive Directors. Mr. Kee made a motion to approve this request. The motion was seconded by Mr. Oliver and carried unanimously.

IV. Executive Director Report

A. Status of IAABO #11 Appeal

Ms. Fontello explained that oral arguments were scheduled on October 18, 2005 before Dr. Nancy Wilson. Ms. Fontello, Kevin Charles, and Mark Holodick appeared on behalf of DIAA. Lane Drexal appeared for IAABO Board 11. A NDBO representative was not present. At the outset of the hearing, the hearing officer was advised that NDBO had not previously received a copy of IAABO Board 11's appeal that was filed and was not aware of the underlying basis for the appeal. The hearing officer decided to hear the arguments on the two legal issues – 1) whether IAABO Board 11 had standing to appeal and 2) whether NDBO was a necessary party to the appeal and rescheduled the remainder of the oral arguments on the merits of the appeal so that NDBO would have the opportunity to participate. Ms. Fontello

presented oral argument on behalf of DIAA on the two legal issues. Mr. Drexal presented oral argument on behalf of IAABO board 11. The remainder of the oral arguments on the merits of the appeal are scheduled for Wednesday, November 30, 2005.

III.

F. Regulation 1008.2.1.1 and 1009.2.1.1 Age Eligibility Language Revision

Mr. Charles commented that this was a follow-up to the discussion at the last Board Meeting regarding changing the language to the age eligibility rule to make it easier to understand. Mr. Charles explained that Ms. Fontello reviewed the suggested changes. After reviewing the language that was previously approved at the October 13, 2005 meeting, Mr. Charles advised that Ms. Fontello suggested inserting the word "current" in 1009.2.1.1 to mirror 1008.2.1.1. Mr. Charles suggested that the Board approve amending the regulation with the following changes: to 1008.2.1.1 inserting the phrase, "immediately preceding the school year" between June 15 and in a school and for the 1009.2.1.1 inserting the phrase, "immediately preceding the school year" between June 15 and shall, and inserting the word "current" between during the and, school year. Ms. Samonisky made a motion to approve the changes. The motion was seconded by Dr. Sole and carried unanimously.

IV. B. Fall Tournaments

Mr. Charles reviewed the fall tournaments with the Board and commented that so far they were going well.

C. Indoor Track State Championship Meet

Mr. Charles commented that he was informed by the University of Delaware that there is construction on their indoor track facility and that he was advised to develop some contingency plans in case the University of Delaware's facility was not complete. Mr. Charles stated that there were no other facility in Delaware that is large enough to host an indoor track meet. Mr. Charles commented that the meet may have to be moved out of state.

V. Presentation and Discussion

A. Status of Revisions to Procedure to Approve Officials Associations

Mr. Charles commented that he has asked the Delaware Interscholastic Officials Council to take a look at this issue and that they have appointed a subcommittee. Mr. Neubauer commented on 1009. 8.1.1 by stating that there may need to be a change in the language with regards to assigning officials. Mr. Neubauer also commented on the lack of verification of members and a plan is being developed to assess the operating proficiency of any new officials association. Mr. Charles

commented that the subcommittee is also looking into other states regulations to see how they evaluate officials associations. After some discussion the consensus of the Board was to hear opinions from DIOC.

III.

B. Request for Waiver of 14 DE Admin Code 1009.2.7.1 for C.S.

Jim Harvey, athletic director at Caesar Rodney High School, Matt Donovan; assistant principal at Caesar Rodney High School, E.S.; mother to student, and student were in attendance to present this request. Mr. Holodick explained that there are 17 voting members of the DIAA Board and that only 14 member were present today which 13 were voting members and for a request to be approved there would have to be 10 affirmative votes. Student requested a closed hearing.

Dr. Hawtof made a motion to go into executive session because the student has requested a closed hearing and this a personal privacy exception to the Freedom of Information Act in order to protect pupil records and student identity. The motion was seconded by Dr. Atkinson and carried unanimously.

After the Student, Mother and School presented their waiver request, Dr. Hawtof made a motion to go into Deliberation. The motion was seconded by Ms. Wilbur and carried unanimously. While in deliberation the matter of C.S. was discussed. Mr. Wagner made a motion to come out of deliberation. The motion was seconded by Dr. Sole and carried unanimously.

Dr. Hawtof made a motion to come out of executive session. The motion was seconded by Ms. Samonisky and carried unanimously.

Mr. Kee made a motion to grant the waiver request because the extenuating circumstances constituted a hardship for this student during his ninth and tenth grade. The motion was seconded by Mr. Wagner and carried by a vote of 12 – yes (Allen, Kohel, Corrado, Samonisky, Oliver, Sole, Wagner, Lyons, Sister Ann, Reed, Kee, and Hawtof) and 1 – no (Wilbur).

VI. Public Comment

None

VII. Adjournment

Mr. Allen made a motion to adjourn at 11:00 p.m. The motion was seconded by Mr. Reed and carried unanimously.

Tina Hurley